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C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 000412

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DEPARTMENT FOR SCA/INS

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TAGS: PGOV PREL PTER PHUM MOPS ECON CE

SUBJECT: SRI LANKA: PDAS CAMP ENCOURAGES PROGRESS ON HUMAN RIGHTS AND POLITICAL SOLUTION TO CONFLICT

REF: COLOMBO 394

Classified By: Ambassador Robert O. Blake, Jr., for reasons 1.4 (b,d).

¶1. (C) Summary. During his April 21-22 visit to Colombo, SCA PDAS Don Camp highlighted to GSL officials that despite the long-standing friendship between our countries, continuing human rights abuses place limits on our cooperation. PDAS Camp pressed for the release of TMVP child soldiers and the disarming of the TMVP before Eastern Provincial Council (EPC) elections on May 10. Defense Secretary Gotabaya Rajapaksa called the EPC elections the

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key to winning the confidence of Tamils, making it clear that the GSL, and he personally, had selected the TMVP and Pillaiyan as the vehicle for this. Rajapaksa said he has told the TMVP to release all children in its ranks. Justice Secretary Gamalath, chair of the high-level committee on

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child soldiers, planned to go to Batticaloa later in the week to speak with parents of released child soldiers, as well as push for further releases by the TMVP. Human Rights Minister Samarasinghe told Camp he is focused on seeking tangible progress, such as indictments in the Action Contre la Faim (ACF) and "Trinco 5" cases, to shore up Sri Lanka's case at the Universal Periodic Review by the Human Rights Council in Geneva on May 13. UNP MP Ravi Karunanayake told PDAS Camp the UNP is looking at the EPC elections as a barometer for national elections, and said he believes the UNP-SLMC alliance can win more than 50 percent of the seats. TNA Parliamentarians confirmed that they are quietly supporting the UNP-SLMC alliance in the elections, while arguing that government abuses against the Tamil community called into question the future of a unified Sri Lanka. End Summary.

GSL Downplays Human Rights Problems

¶2. (C) The GSL sought to downplay Sri Lanka's human rights problems and maintain close US-GSL cooperation. Foreign

Minister Bogollagama said Sri Lanka continues to want dialogue with the U.S. on areas of mutual concern, including human rights. He welcomed Ambassador Blake's initiative for working-level consultations on human rights cases. Sri Lanka seeks understanding from the U.S. as it confronts the terrorist threat, he said. He argued that human rights conditions were worse in the late 1980s during the JVP insurrection, but that the JVP did not have a foreign constituency or overseas propaganda machine, as the LTTE does. He said the GSL will consider IIGEP's conclusions on the Commission of Inquiry, but noted that IIGEP may have misunderstood and exceeded its mandate. Defense Secretary Gothabaya Rajapaksa echoed the message that the human rights problem is exaggerated. He said the international community has failed to understand ground realities in Sri Lanka and that LTTE propaganda has blown the problem out of proportion.

The Tamil opposition TNA, however, told PDAS Camp that abductions are still occurring regularly in the North and East, and disagreed that human rights conditions in the East have improved. Human Rights Minister Samarasinghe told PDAS Camp that the GSL is seeking human rights progress, such as indictments on the ACF and Trinco 5 cases, prior to the GSL's Universal Periodic Review at the Human Rights Council in Geneva on May 13. The President is considering replacing the head of the Human Rights Commission with a credible person, he said, but currently there is no constitutional means of removing him.

¶13. (C) PDAS Camp emphasized that while the U.S. values its friendship with Sri Lanka, continuing human rights problems are limiting military and other cooperation. He noted that our concerns were reflected accurately in the Human Rights Report.

More Child Soldiers to be Released;
Parents' Concern for their Future

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¶14. (C) The GSL predicted continued progress in releasing child soldiers. Defense Secretary Rajapaksa told PDAS Camp that he has instructed the TMVP to release all child soldiers. He said that a second group of child soldiers could be released later in the week. (Septel will report on an additional 28 child soldiers released by the TMVP on April 24.) He and Justice Secretary Gamalath reported that parents have complained that the TMVP child soldiers are being held in a rehabilitation center instead of being released directly to their parents. Gamalath planned to travel to Batticaloa later in the week to explain to parents the GSL's good intentions and highlight the vocational training available at rehabilitation centers. In Batticaloa, Gamalath would tell the TMVP they must release all child soldiers. PDAS Camp thanked Rajapaksa and Gamalath for their efforts on child soldiers and encouraged them to continue to push for the release of all TMVP child soldiers.

¶15. (C) Gamalath told PDAS Camp that the GSL is considering a mechanism to consult with parents on the disposition of their children. Gamalath noted the potential danger to children returning directly home, where they would be vulnerable to re-recruitment. All children would benefit from vocational training and some may also need professional psychosocial help, which the GSL hopes to stand up at rehabilitation centers. Nevertheless, Gamalath thought the GSL should not be an impediment to what parents want for their children.

Few Prospects for a Political Solution

¶16. (C) Foreign Minister Rohitha Bogollagama told PDAS Camp that the GSL remains committed to the APRC process, which will lead to "greater accommodation" of minority aspirations. He said the recent JVP split may help achieve this. Defense Secretary Gothabaya Rajapaksa, however, told PDAS Camp that

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the only solution to the conflict is a military defeat of the LTTE. He argued that the LTTE have proven that they will not negotiate and said "peace talks and cease-fires just prolong the problem." PDAS Camp noted that the U.S. supports a political solution, and that continued, escalating fighting brings more human rights abuses and terrorist attacks. PDAS Camp urged the UNP to take the initiative on a political solution. UNP MP Karunananayake, however, said the UNP cannot "get too far out ahead of the government" on a political solution because the GSL will then accuse them of being soft on the LTTE and ignoring Sinhalese interests.

GSL Seeks to Prove its Credentials in the East

¶17. (C) GSL officials spoke optimistically of upcoming Eastern Provincial Council elections. Foreign Minister Bogollagama said that the participation of most major parties in the elections demonstrates a transparent process of institutional development. The next step, he said, will be implementation of devolution under the 13th Amendment. Defense Secretary Rajapaksa emphasized that successful stabilization and development of the Eastern Province is the key to winning the confidence of Tamils. The GSL must show that it can offer an alternative to the LTTE, he said. He argued that the vehicle for engaging Tamils is the TMVP, "like it or not," and that if the TMVP wins the Eastern elections, Tamils will feel their problems are being addressed. PDAS Camp stressed that the U.S. wants to see free, fair elections in the East and that, to ensure this, the TMVP must be disarmed. Rajapaksa claimed that TMVP members are being disarmed regularly at checkpoints in the East.

¶18. (C) The UNP is looking at the Eastern elections as a barometer for national elections, which it believes are not

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far off. The UNP claims the UNP-SLMC alliance can win 25 or 26 seats out of 38 in the Eastern Provincial Council. UNP MP Ravi Karunananayake said he hopes the Eastern elections will kick off a movement for national change. The TNA MPs said the party is quietly supporting the UNP-Sri Lanka Muslim Congress (SLMC) alliance in the Eastern elections and supports SLMC leader Rauff Hakeem for Chief Minister. TNA leader Sampanthan argued strongly that Tamils do not support or respect Pillaiyan, and would only vote for him out of fear.

UNP Says GSL's Days Are Numbered

¶19. (C) UNP MP Karunananayake told PDAS Camp that he doubts the GSL will be able to maintain its current level of popularity much longer. He said the GSL has been unable to deliver on promises to liberate the North and improve the economy, and that as the economy continues to worsen, the GSL will lose support. He predicted that national elections are not far off, and will likely occur before the end of the year. Karunananayake added that the GSL may decide that it wants to call new elections sooner, before its prospects deteriorate further. (Note: President Rajapakse's term continues until 2011, notwithstanding results of any intervening parliamentary election.)

TNA Parliamentarians See Little Hope

¶10. (C) TNA MPs told PDAS Camp the party is increasingly convinced that Sinhalese and Tamils cannot co-exist. They claimed the GSL has engaged in "genocide" and has proven it is unwilling and unable to treat Tamils with dignity. As an example, TNA leader Sampanthan explained that the government is currently preventing the rice harvest in Mannar by refusing to allow extra laborers to travel to the area and by

opening the sluice gates of Giant's Tank, a large reservoir, flooding the rice fields. He said this means farmers will not be able to harvest this year's rice crop and will not have enough water to plant the next one.

Business Leaders Negative, Despite Profits

¶11. (U) In a meeting with American Chamber of Commerce (AmCham) Sri Lanka board members, company representatives underscored the negative business environment, including various problems with government tender processes and an escalation by the government in seeking additional tax revenue from multinational corporations, often by unfair means. American companies also face significant challenges in receiving VAT refunds, when eligible, from the government.

All in attendance noted that Sri Lanka's ethnic conflict continues to both hamper current investment opportunities and deter additional investment. Although most companies present continue to make profits in Sri Lanka, they signaled that if the overall business climate does not improve, they may not remain in Sri Lanka over the long-term. PDAS Camp highlighted the U.S.-Sri Lanka Trade and Investment Framework Agreement (TIFA), and noted that the U.S. is ready and willing to raise the concerns of U.S. businesses in this forum.

¶12. (C) COMMENT: Despite concern over limits to US-GSL cooperation, the GSL remains in denial about the magnitude of its human rights problems and has yet to undertake meaningful measures to hold violators accountable. We agree that the GSL may soon see a decline in public support, particularly if the economy deteriorates and the army offensive in the North gets bogged down. We are skeptical the President would call national elections given growing public criticism about cost of living and the lack of military progress. The next important test of strength between government and opposition will be the Eastern Provincial Council elections. The GSL

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has previously demonstrated great resolve and gone to extraordinary lengths to maintain its hold on power; given its recent economic and military setbacks, we expect the President and his brothers to pull out all the stops to avoid a defeat on the political front.

¶13. (U) PDAS Camp cleared this message.
BLAKE